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## FACSIMILE TRANSMITTAL SHEET

TO: Examiner M. Mendoza  
Group 3761

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DATE: June 2, 2004

RE: U.S. Serial No. 09/731,316

NO. OF PAGES: 3  
(INCLUDING COVER)

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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PATENT

Practitioner's Docket No. 0051.00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carlos Schuler et al.

Application No.: 09/731,316

Group No.: 3761

Filed: December 6, 2000

Examiner: M. Mendoza

For: SYSTEMS AND METHODS FOR TREATING PACKAGED POWDERS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 2, 2003, finally rejecting claims 1-18, 21, 23-29, 35-39, 43-49, 61 and 62.

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Notice of Appeal is:

Notice of Appeal fee due \$330.00

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

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Kathy Honnert  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee \$950.00

If an additional extension of time is required, please consider this a petition therefore.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$330.00
Extension fee	\$950.00
<b>TOTAL FEE DUE</b>	<b>\$1,280.00</b>

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$1,280.00 to Deposit Account No. 500348. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 500348.

Date: 02 JUN 04

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Signature of Practitioner

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Notice of Appeal from the Primary Examiner to Board—page 2 of 2